

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:
STANLEY HAWKINS ET.AL.

SERIAL NO. : 10/524,446

FILED: FEB. 7, 2003

FOR: Irrigation Connectors

Examiner: to be assigned

Group Art Unit: to be assigned

Petition
37 CFR 1.47
Filing When An Inventor Refuses To Sign Or Cannot Be Reached

RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

13 FEB 2006

Dear Sir:

Legal Staff
International Division

The joint inventor, Wayne M. Miyasato, refuses to join in an application for patent or cannot be found or reached after diligent effort. Pursuant to 35 USC 118 the Assignee, Agricultural Products Inc., also known as Aquarius Brands Inc., hereby makes the application on behalf of the nonsigning inventor, Wayne M. Miyasato.

The oath or declaration signed by the Assignee accompanies this petition which includes proof of the pertinent facts.

A check for the appropriate fee set forth in § 1.17(h) is enclosed.

The last known address of the nonsigning inventor, Wayne M. Miyasato, is:

08/11/2005 LLANDGRA 00000069 10524446
01 FC:1464 130.00 OP

Wayne Miyasato 05/09/2006 CSMOOT 00000004 011960 10524446
Sale Ref: 00000004 DAH: 011960 10524446
01 FC:1463 70.00 DA 130.00 OP
405 E. Center St. #207
Anaheim, California 92805

Wayne M. Miyasato was an employee of assignee and left employment in 2003.

BEST AVAILABLE COPY

The assignee's interest in the invention is evidenced by the executed patent assignment from Wayne M. Miyasato attached as Exhibit 1.

The undersigned in behalf of the assignee undertook a skip trace search for Wayne M. Miyasato and found additional addresses for Wayne M. Miyasato in Torrance, California, and a phone number to which a fax machine was connected. No phone listings for Wayne M. Miyasato in Torrance, California, were existent.

The undersigned sent an inventor's declaration to the fax number listed, 310 3281723, which was received as evidence by the fax receipt attached as Exhibit 2.

The undersigned sent an inventor's declaration to each of the additional addresses found in the skip trace as attached as Exhibit 3.

To date no response of any kind has been received to these multiple inquiries.

Please charge any additional fees pertaining to this correspondence to Deposit Account No. 01-1960.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 5, 2005 by


Signature

August 5, 2005

Respectfully submitted,

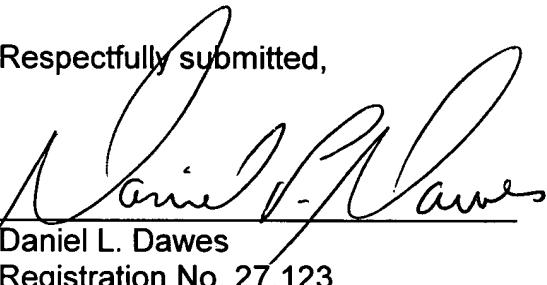
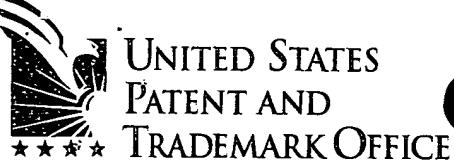

Daniel L. Dawes
Registration No. 27,123
Myers Dawes Andras & Sherman LLP
19900 MacArthur Blvd., 11th Floor
Irvine, CA 92612
(949) 223-9600



EXHIBIT 1



UNITED STATES
PATENT AND
TRADEMARK OFFICE

OCTOBER 15, 2003

PTAS

Chief Financial Officer and Chief Administrative Officer
Washington, DC 20231
www.uspto.gov

MYERS DAWES ANDRAS ET AL.
DANIEL L. DAWES
19900 MACARTHUR BLVD.
IRVINE, CA 92612



102446682A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/09/2003

REEL/FRAME: 014046/0285

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HAWKINS, STANLEY E.

DOC DATE: 03/18/2003

ASSIGNOR:

MIYASATO, WAYNE M.

DOC DATE: 03/17/2003

ASSIGNOR:

MATLOCK, JAMES A.

DOC DATE: 03/17/2003

ASSIGNEE:

AGRICULTURAL PRODUCTS, INC.
1450 E. FRANCIS ST.
ONTARIO, CALIFORNIA 91761

FILING DATE:

ISSUE DATE:

SERIAL NUMBER:

PATENT NUMBER:

PCT NUMBER: US0303605

014046/0285 PAGE 2

JEEVON JONES, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

5-13-2003



Tab settings ➡ ➡ ➡ ➡ ➡

102446682

To the Honorable Commissioner or Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Stanley E. Hawkins
Wayne M. Miyasato
James A. Matlock

5-9-03

2. Name and address of receiving party(ies):

Name: Agricultural Products, Inc.

Internal Address:

Additional names(s) of conveying party(ies)

Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Street Address: 1450 E. Francis St.

Execution Date: March 18, 2003, March 17, 2003

City: Ontario State: CA ZIP: 91761

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

PCT/US03/03605

B. Patent No.(s)

OFFICE OF PUBLIC RECORDS

2003 MAY -9 AM 7:35

FINANCE SECTION

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Daniel L. Dawes

Internal Address: Myers Dawes Andras & Sherman LLP

Street Address: 19900 MacArthur Boulevard

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41): \$ 40.00

Enclosed - Any excess or insufficiency should be credited or debited to deposit account

Authorized to be charged to deposit account

8. Deposit account number:

01-1960

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Daniel L. Dawes

Name of Person Signing

Signature

May 6, 2003

Date

Total number of pages including cover sheet, attachments, and document:

4

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

Stanley E. Hawkins

hereby sells, assigns and transfers to ASSIGNEE, Agricultural Products, Inc., a California corporation, whose business address is 1450 E. Francis St., P.O. Box 3760, Ontario, California 91761, and the successors, assigns and legal representatives of the ASSIGNEE, all of its rights, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

Irrigation Connectors Ready Made According to Demand and Method of Supplying the Same

and which is found in

- (a) U.S. provisional application filed herewith and listing the above named persons as inventors
- (b) U.S. patent application filed herewith and listing the above named persons as inventors
- (c) U.S. application serial no. _____, filed on _____
- (d) U.S. Patent No.: _____, issued _____
- (e) International application serial no. PCT/US03/03605, filed on Feb. 7, 2003

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that the ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, Agricultural Products, Inc.

executed this

Signature of Inventor(s)

18th day of March, 2003


Stanley E. Hawkins 3/8/03

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

Wayne M. Miyasato

hereby sells, assigns and transfers to ASSIGNEE, Agricultural Products, Inc., a California corporation, whose business address is 1450 E. Francis St., P.O. Box 3760, Ontario, California 91761, and the successors, assigns and legal representatives of the ASSIGNEE, all of its rights, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

Irrigation Connectors Ready Made According to Demand and Method of Supplying the Same

and which is found in

- (a) U.S. provisional application filed herewith and listing the above named persons as inventors
- (b) U.S. patent application filed herewith and listing the above named persons as inventors
- (c) U.S. application serial no. _____, filed on _____
- (d) U.S. Patent No.: _____, issued _____
- (e) International application serial no. PCT/US03/03605, filed on Feb. 7, 2003

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that the ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, Agricultural Products, Inc.

executed this

Signature of Inventor(s)

17 day of MARCH, 2003

Wayne M. Miyasato
Wayne M. Miyasato

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

James A. Matlock

hereby sells, assigns and transfers to ASSIGNEE, Agricultural Products, Inc., a California corporation, whose business address is 1450 E. Francis St., P.O. Box 3760, Ontario, California 91761, and the successors, assigns and legal representatives of the ASSIGNEE, all of its rights, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

Irrigation Connectors Ready Made According to Demand and Method of Supplying the Same

and which is found in

- (a) U.S. provisional application filed herewith and listing the above named persons as inventors
- (b) U.S. patent application filed herewith and listing the above named persons as inventors
- (c) U.S. application serial no. _____, filed on _____
- (d) U.S. Patent No.: _____, issued _____
- (e) International application serial no. PCT/US03/03605, filed on Feb. 7, 2003

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that the ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, Agricultural Products, Inc.

executed this

Signature of Inventor(s)

17 day of MARCH, 2003

James A. Matlock



EXHIBIT 2

MISSION VERIFICATION REPORT

TIME : 07/26/2005 15:34
NAME : MDAS LLP - IP LAW
FAX : 949-223-9610
TEL : 949-223-9600
SER. #: BROM3J967823

DATE, TIME	07/26 15:33
FAX NO. /NAME	913103281723--2835
DURATION	00:01:24
PAGE(S)	06
RESULT	OK
MODE	STANDARD
	ECM

MYERS DAWES ANDRAS & SHERMAN LLP
An Intellectual Property Law Firm

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
<u>Wayne M. Miyasato</u>	<u>Dan Dawes</u>
COMPANY:	DATE:
	<u>7/26/2005</u>
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
<u>310-328-1723</u>	<u>6</u>
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
	<u>AQU1.PAU.01</u>
RE:	YOUR REFERENCE NUMBER:
<u>URGENT</u>	

NOTES/COMMENTS:

Please see attached letter.

Thank you.

MYERS DAWES ANDRAS & SHERMAN LLP
An Intellectual Property Law Firm

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
<u>Wayne M. Miyasato</u>	<u>Dan Dawes</u>
COMPANY:	DATE:
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PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
	<u>AQU1.PAU.01</u>
RE:	YOUR REFERENCE NUMBER:
<u>URGENT</u>	

NOTES/COMMENTS:

Please see attached letter.

Thank you.

**MYERS DAWES
ANDRAS & SHERMAN LLP**
Patents, Trademarks & Copyrights

July 26, 2005
via fax (310) 328-1723

Wayne M. Miyasato
18510 Wilton PI
Torrance, CA 90504

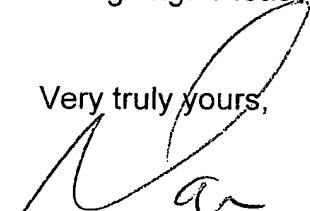
Wayne M. Miyasato
22232 S Vermont Ave Unit #202
Torrance, CA 90502

**Re: U.S. Patent Application for Irrigation Connectors based on PCT
US/2003/03605**
Our Ref. No. : AQU1.PAU.01

Dear Wayne:

We have been searching high and low for you. Please sign the enclosed declaration and assignment and fax back to our offices immediately. If there is any reason why you refuse to sign, please call and let us know that you will not be signing. Please verify your address, since we have two addresses for you.

Very truly yours,


Daniel L. Dawes

Enclosures

Docket No.
AQU1.PAU.01 US

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

IRRIGATION CONNECTORS

the specification of which

(check one)

is attached hereto.

was filed on February 11, 2005 as United States Application No. or PCT International Application Number 10/524,446

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	<input checked="" type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input checked="" type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input checked="" type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

PCT/US2003/003605	7 February 2003	Pending
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (*list name and registration number*)

Daniel L. Dawes, Reg. No. 27,123
 Richard L. Myers, Reg. No. 26,490
 Joseph C. Andras, Reg. No. 33,469
 Kenneth L. Sherman, Reg. No. 33,783
 David L. Henty, Reg. No. 31,323
 Vic Y. Lin, Reg. No. 43,754
 John W. Eldredge, Reg. No. 37,613
 Michael F. Zarabian, Reg. No. 39,886

Send Correspondence to: Daniel L. Dawes
 Myers Dawes Andras & Sherman LLP
 19900 MacArthur Boulevard, Suite 1150
 Irvine, California 92612

Direct Telephone Calls to: (*name and telephone number*)
 Daniel L. Dawes - 949-223-9600

Full name of sole or first inventor Stanley E. Hawkins	Date
Sole or first inventor's signature	Date
Residence 3301 East Douglas Avenue, Visalia, California 93292	
Citizenship United States	
Post Office Address 3301 East Douglas Avenue, Visalia, California 93292	

Full name of second inventor, if any James A. Matlock	Date
Second inventor's signature	Date
Residence 904 Sunset Hills Lane, Redlands, California 92373	
Citizenship United States	
Post Office Address 904 Sunset Hills Lane, Redlands, California 92373	

Full name of third inventor, if any Wayne M. Miyasato	Date
Third inventor's signature	Date
Residence 405 East Center Street #207, Anaheim, California 92805	
Citizenship United States	
Post Office Address 405 East Center Street #207, Anaheim, California 92805	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

EXHIBIT 3

MYERS DAWES
ANDERAS & SHERMAN LLP
Patents, Trademarks & Copyrights

August 3, 2005

Wayne M. Miyasato
40 E. Center ST. #207
Anaheim, California 92805

Wayne M. Miyasato
405 E. Center ST. #207
Anaheim, California 92805

Wayne M. Miyasato
202 S Vermont Ave Unit #22232
Torrance, CA 90502

**Re: U.S. Patent Application for Irrigation Connectors based on PCT
US/2003/03605**

Our Ref. No. : AQU1.PAU.01

Dear Wayne:

We have been searching high and low for you. Please sign the enclosed declaration and assignment and fax back to our offices immediately. If there is any reason why you refuse to sign, please call and let us know that you will not be signing. Please verify your address, since we have several addresses for you.

Very truly yours,

Daniel L. Dawes

Enclosures

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Operations and is not part of the Official Record**

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- GRAY SCALE DOCUMENTS**
- LINES OR MARKS ON ORIGINAL DOCUMENT**
- REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- OTHER:** _____

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